

REMARKS/ARGUMENTS

STATUS OF CLAIMS

In response to the Office Action dated May 29, 2008, claims 16, 26, 28 and 30 have been amended, and claims 42 and 43 have been added. Claims 16-22, 24, 26-28, 30-38, 42 and 43 are now pending in this application. No new matter has been added.

REJECTION OF CLAIMS UNDER 35 U.S.C. § 103

I. Claims 16-22, 24, 26-28 and 30-38 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Yoshimura et al. (USPN 5,596,419) in view of Takahashi et al. (USPN 5,805,933), and further in view of Ueki (USPN 6,310,848).

To expedite prosecution, independent claim 16 has been amended to delineate, *inter alia*:

..., wherein
said still image recording portion records the still image as a digital file,
when a still image transfer command including a still image file name is received from the external apparatus, said command executing portion selectively transmits the still image based on the still image file name, and
when a video transfer command including a video file name is received from the external apparatus, said command executing portion selectively transmits the video based on the video file name.

Independent claim 26 has been amended to recite, *inter alia*:

..., wherein
said still image producing portion cuts out and records the still image as a digital file by detecting a switching of a sound multiplex mode,
when a still image transfer command including a still image file name is received from the external apparatus, said command executing portion selectively transmits the still image based on the still image file name, and
when a video transfer command including a video file name is received from the external apparatus, said command executing portion selectively transmits the video based on the video file name.

Thus, amended independent claims 16 and 26 delineate, *inter alia*, that the still image recording portion records a still image as a digital file, when a still image transfer command including a still image file name is received from the external apparatus, the command executing portion selectively transmits the still image based on the still image file name, and when a video transfer command including a video file name is received from the external apparatus, the command executing portion selectively transmits the video based on the video file name. Yoshimura et al., Takahashi et al. and Ueki do not disclose or suggest the features recited in amended independent claims 16 and 26. Therefore, amended independent claims 16 and 26, as well as dependent claims 17-22, 24 and 27 are patentable over Yoshimura et al., Takahashi et al. and Ueki.

In addition, independent claim 28 has been amended to delineate, *inter alia*:

...
a digital network interface digitally bi-directionally communicating with an external apparatus;

a still image selection command issuing portion transmitting a file name of the still image capable of selecting the still image through said digital network interface;

...
a video selection command issuing portion transmitting ***a file name of the video*** capable of selecting the video through said digital network interface;

Independent claim 30 has been amended to recite similar subject matter.

Thus, amended independent claims 28 and 30 delineate, *inter alia*, that a still image selection command issuing portion transmits a file name of the still image capable of selecting the still image through the digital network interface and a video selection command issuing portion transmits a file name of the video capable of selecting the video through the digital

network interface. Yoshimura et al., Takahashi et al. and Ueki do not disclose or suggest the features recited in amended independent claims 28 and 30. Therefore, amended independent claims 28 and 30, as well as dependent claims 31-38 are patentable over Yoshimura et al., Takahashi et al. and Ueki.

II. In view of the above, the allowance of claims 16-22, 24, 26-28 and 30-38, as amended, is respectfully solicited.

NEW CLAIMS

New dependent claims 42 and 43 are submitted. Claim 42, depending from amended independent claim 16, delineates that each of a still image, a video and information on a correspondence between the still image and the video is transmitted by at least two different kinds of communication protocols or at least two different kinds of command sets.

Claim 43, depending from amended independent claim 16, delineates that the still image producing portion cuts out a still image one of (i) at a start of the video recording, (ii) after a prescribed time from the start of the video recording and (iii) every time a prescribed period of time is elapsed.

Yoshimura et al., Takahashi et al. and Ueki fail to disclose or suggest the features recited in new dependent claims 42 and 43. Therefore, claims 42 and 43 are patentable over Yoshimura et al., Takahashi et al. and Ueki, and their allowance is respectfully solicited.


CONCLUSION

Accordingly, it is urged that the application, as now amended, is in condition for allowance, an indication of which is respectfully solicited. Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Edward J. Wise Reg. No. 34,523 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

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